

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VIRGINIA ROBERSON,

Defendant.

No. CR 09-0523 WHA

**ORDER RE SFPD MOTION
TO QUASH SUBPOENA**

Defendant Virginia Roberson subpoenaed records from the San Francisco Police Department to support a claim of vindictive prosecution and the SFPD moved to quash the subpoena. The SFPD was ordered to search its files for any documents that could potentially support a claim of vindictive prosecution and to submit them to for *in camera* review. Now the SFPD's legal counsel, Attorney Ronnie Wagner, has submitted a sworn declaration that after a search she has determined that the only SFPD document relating to the federal decision to charge defendant Roberson is a "chronological of investigation" by Inspector William Siebert. Based on an *in camera* review of this document, this order agrees that it contains no information that support a claim of vindictive prosecution. This order trusts the SFPD to comply with its obligations and disclose all relevant documents for *in camera* review. The SFPD's motion to quash is therefore **DENIED AS MOOT**.

IT IS SO ORDERED.

Dated: February 9, 2010.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE